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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,481	04/10/2006	Ziming Shen	13836-00003-US	9989

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EXAMINER

LEE, MICHAEL

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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03/08/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/567,481	SHEN ET AL.	
	Examiner	Art Unit	
	M. Lee	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoshino et al. (6,804,300) in view of Shu et al. (6,598,100).

Regarding claim 4, Hoshino discloses a television audiovisual apparatus showing a tuning unit (62) for receiving television signals and outputting analog demodulated television signals and inherently included audio signals, video inputs (11,12) for receiving conventional analog video signals and inherently included audio signals, a video processing unit (63) for converting analog television signals and analog video signals into digital video signals, a display unit (25), an audio processing unit (68) for amplifying the audio signals, and a CPU 22 for controlling the operations of the circuits mentioned above. However, Hoshino does not disclose the multimedia player as claimed. Shu discloses a multimedia player for playing multimedia files and outputting the video and audio signal in analog format. Since the video inputs 11 and 12 in Hoshino can be connected to any conventional video/audio source, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to connect Shu to Hoshino so that the multimedia video and audio signals could be watched and listened by the user, respectively. In addition, Shu includes operation

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button set 13 for controlling the operations of the multimedia player. Similarly, Hoshino also includes a button set for controlling the operation of a recorded video/audio signal (note Figure 5). Since both Shu and Hoshino include the similar control button set, it is understood that one of the button set in Hoshino or Shu can be used to control the other. Hence, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Hoshino so that the CPU 22 could be used to control operations as specified by the button set of Shu.

Regarding claim 5, the multimedia player in Shu includes a memory card (3), a multimedia processing unit (12), an audio outputting unit (18,19), a video outputting unit (17), and a control processing unit (CPU 12).

Regarding claim 6, Shu shows a flash storage (col. 2, lines 2-5), a buffer storage (15), and an electrically erasable memory (14).

Regarding claim 7, Hoshino shows an A/D conversion unit (63), a video signal decoding unit (114), and a signal processing unit (24).

Regarding claim 8, the bus 21 and bus 32 meet the serial bus as claimed.

Regarding claim 9, Hoshino does not disclose the infrared control unit as claimed. The examiner takes Official Notice that using infrared remote control to control an electronic device is well known in the art because it enables the user to control the device remotely and conveniently. Hence, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Hoshino to include the well known infrared remote control so that the television apparatus could be remotely controlled.

Response to Arguments

3. Applicant's arguments filed 12/28/09 have been fully considered but they are not persuasive.

In considering applicant's argument that Shu fails to teach or suggest the recited multimode picture frame as claimed, the Examiner disagrees. Hsu clearly teaches a sole digital image frame display device (Figure 3). In Shu, the JPEG format image data is read from a card reader 3 by an AV processor 12 and decoded by a decoder 16. This device clearly meets the claimed digital picture frame as claimed. Since the video inputs (11, 12) in Hoshino are intended to receive video signal from different video sources, Shu can be used as one of the video sources. Thus, the combination of Hoshino and Shu clearly meets the claimed invention.

Applicant also argues that instant invention has fewer elements than that of Hoshino. The Examiner agrees. However that does not render the invention patentable because the additional elements in Hoshino account for other operations while the elements as set forth invention Office rejection meet the same claimed elements.

In view of foregoing, it is clear that the combination of Hoshino and Shu still meets the claimed invention. Thus, the rejection is maintained.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran, can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M. Lee/
Primary Examiner
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